



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1195

FINAL FISCAL NOTE

Drafting Number: LLS 19-0497
Prime Sponsors: Rep. Mullica

Date: September 4, 2019
Bill Status: Postponed Indefinitely
Fiscal Analyst: Vanessa Reilly | 303-866-4753
Vanessa.Reilly@state.co.us

Bill Topic: RESTRICT ELECTION COMMUNICATIONS COUNTY CANDIDATES

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill would have prohibited a candidate for county elected office from sending any mass communication within 60 days immediately prior to a primary, general, or special election in which the name of the candidate is on the ballot. It would have required a one-time expenditure for counties for reprinting costs.

Appropriation Summary: No appropriation was required.

Fiscal Note Status: The fiscal note reflects the introduced bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

This bill would have prohibited a candidate for county commissioner, county clerk and recorder, sheriff, coroner, treasurer, assessor, or surveyor from sending any mass communication within 60 days of a primary, general, or special election at which that candidate's name appears on the ballot. Mass communication means any communication containing substantially identical content that is mailed, delivered, or distributed by a candidate for county elected office at public expense to 500 or more people in a county with a population over 50,000, or 150 or more people in a county with a population of 50,000 or fewer.

In addition, mass communications sent on any date could not contain solicitations of votes or of campaign contributions, partisan language, language disparaging another public official or political party, or gratuitous biographical or personal information about a public official. Any images included in any mass communication would have had relate to the text of the communication's message, and any mass communication must prominently include the words "prepared and distributed at taxpayer expense."

The bill would have also prohibited any materials included within a mail ballot packet from including the name of the individual serving as county clerk and recorder at the time of an election.

Local Government

The bill would have required a one-time expenditure by counties to reset, reprogram and reprint various materials to ensure they do not include the name of the county clerk. This material includes motor vehicle documents, election materials, recording and title information, and county commission materials, among other documents. The cost to counties with more than 50,000 residents was estimated to be roughly \$80,000 per county; the cost to counties with fewer than 50,000 residents was estimated to be roughly \$8,200 per county.

Effective Date

This bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on March 14, 2019.

State and Local Government Contacts

Counties
County Coroners

County Assessors
Secretary of State

County Clerks
Sheriffs